

**REMARKS**

This Reply and Amendment is intended to be completely responsive to this non-final Office Action. Claims 1-4, 6-37 and 39-58 are pending in this Application. Claims 1-4, 6-37 and 39-58 stand rejected. Independent Claims 1, 18, 34 and 51 have been amended, and dependent Claims 22, 40 and 57-58 have been amended. New dependent Claims 59-63 have been added to provide claims of varying scope.

**Claim Rejections – 35 U.S.C. § 112 ¶ 2**

**Claim 18**

In Section 2 of the Detailed Action, the Examiner rejected Claim 18 as being indefinite under 35 U.S.C. § 112 ¶ 2. The Examiner stated that “Claim 18 recites the limitation ‘display panels’ in lines 17 and 20” but there “is insufficient antecedent basis for this limitation in the claim.”

The Applicants have amended independent Claim 18 for clarity. Independent Claim 18 (as amended) now recites an “apparatus providing a movable support system adapted for providing a display device configured to provide at least two display panels.”

Accordingly, the Applicants respectfully request withdrawal of this rejection under 35 U.S.C. § 112 ¶ 2.

**Claim 22**

In Section 2 of the Detailed Action, the Examiner also rejected Claim 22 as being indefinite under 35 U.S.C. § 112 ¶ 2. The Examiner stated that “Claim 22 recites that a ‘work surface’ is mounted over the track” and that it “is unclear if this work surface is an additional work surface, or is referring the work surface recited in claim 18.”

The Applicants have amended dependent Claim 22 for clarity. Dependent Claim 22 (as amended) now recites “wherein the work surface is mounted over the track.”

Accordingly, the Applicants respectfully request withdrawal of this rejection under 35 U.S.C. § 112 ¶ 2.

Claim 40

In Section 2 of the Detailed Action, the Examiner also rejected Claim 40 as being indefinite under 35 U.S.C. § 112 ¶ 2. The Examiner stated that “Claim 40 recites the limitation “at least one passage for management of a cable” in lines 2-3” and that it “is unclear if this is an additional ‘passage’ or the ‘passage’ claimed in claim 34.”

The Applicants have amended dependent Claim 40 for clarity. Dependent Claim 40 (as amended) now depends from independent Claim 51.

Accordingly, the Applicants respectfully request withdrawal of this rejection under 35 U.S.C. § 112 ¶ 2.

Claims 57 and 58

In Section 2 of the Detailed Action, the Examiner also rejected Claim 57 as being indefinite under 35 U.S.C. § 112 ¶ 2. The Examiner stated that

Claim 57 recites that the “first” and “second” joints both provide a “pivotal joint” between the “display support assembly” and the “display device.” It is unclear how both the “first” and “second” joints perform this function. Furthermore, it is unclear from the specification and/or figures what constitutes the “first” and “second” joints, since the specification simply states that one or more points or “joints” are employed for movement of the display device. It appears from the recitations of claim 18, that both joints are located on the “arm.” Similarly, claim 58 attempts to further define the location and operation of the “first,” “second” and “third” joints, however it is still unclear as to what constitutes the “first,” “second” and “third” joints, thus rendering the claim indefinite.

The Applicants have amended dependent Claims 57 and 58 for clarity.<sup>1</sup> Dependent Claims 57 and 58 now recite a “first joint comprises a pivotal joint ... to facilitate pivotal movement of the display device about a first axis” and a “second joint comprises a pivotable joint ... to facilitate pivotal movement of the display device about a second axis” and dependent Claim 58 further recites a “third joint [that] comprises a pivotal joint ... to facilitate pivotal movement of the display device about a third axis.”

Accordingly, the Applicants respectfully request withdrawal of this rejection under 35 U.S.C. § 112 ¶ 2.

**Claim Rejections 35 U.S.C. § 103(a)**

Claims 1-4 and 6-17; 18-33 and 57; and 34-37 and 39-50

In the Detailed Action, the Examiner rejected independent Claims 1, 18 and 34 as being unpatentable under 35 U.S.C. § 103(a) in view of U.S. Patent No. 4,637,666 issued to Worrell et al. (“Worrell et al.”), U.S. Patent No. 5,558,418 issued to Lambright et al. (“Lambright et al.”), U.S. Patent No. 4,852,500 issued to Ryburg et al. (“Ryburg et al.”) and U.S. Patent No. 5,904,328 issued to Leveridge et al. (“Leveridge et al.”).

Worrell et al. describes a “desk” having a “computer keyboard 38” that is “connected to the underside of the desk by conventional vertical swing pivot mechanism 40 for swinging movement” (see col. 4, lines 27-30). Worrell et al. also describes that a “carriage 44 itself” is “cantilever mounted on the desk top 14” (see col. 4, lines 42-43).

Lambright et al. describes a “furniture assembly” where a “shelf 40 can be slidably mounted on the bottom surface 39” and “positioned under the support surface 37 adjacent the bottom surface 39” (see col. 3, lines 38-39 and 43-44).

Ryberg et al. describes a “computer implement work area” having a mobile work surface 26” that “mounts a peripheral equipment rail trolley 28 having a peripheral platform

---

<sup>1</sup> New dependent Claims 59-60 have been added to provide claims of varying scope and depend from dependent Claim 57 (as amended). New dependent Claims 61-63 have been added and depend from dependent Claim 58 (as amended).

28A” and an “accessory trolley 32 and a peripheral platform 36 are also mounted to the work surface” and a “second mobile work surface 34 is also mounted at one end” (see col. 4, lines 15).

Leveridge et al. describes an “articulating computer monitor” that “includes a base 16 designed to rest on a horizontal surface such as the top of a computer user’s desk” (see col. 2, lines 63-65).

Independent Claims 1, 18 and 34 have been amended. Independent Claims 1 and 34 (as amended) recite a “movable support system” and independent Claim 18 recites an “apparatus providing a movable support system.” Independent Claims 1, 18 and 34 now comprise, in combination with other elements, a “work surface mounted to the mounting structure above the first section of the display support assembly to provide a slot” (Claim 1) or “gap” (Claims 18 and 34) “through which the second section of the display support assembly projects into the work space” wherein the display device(s) [Claims 1 and 34] or the display panels [Claim 18] “may be selectively positioned for use within the work space in a variety of positions by (a) movement of the display support assembly relative to the mounting structure within the slot [ or gap] and transverse to the work surface.” The “movable support system” recited in independent Claims 1 and 34 (as amended) and the “apparatus” recited in independent Claim 18 are not disclosed, taught or suggested by Worrell et al., alone or in any proper combination with Lambright et al., Ryberg et al. and/or Leveridge et al.

The suggestion to make any cited combination of Worrell et al., with Lambright et al., Ryberg et al. and/or Leveridge et al. has been taken from the Applicants’ own disclosure (using hindsight), which is improper. Furthermore, to transform the “desk” of Worrell et al., alone or in any proper combination with the “furniture assembly” of Lambright et al., the “computer implement work area” of Ryberg et al. and/or the “articulating computer monitor” of Leveridge et al., into a “movable support system” as recited in independent Claims 1 and 34 (as amended) or an “apparatus” as recited in independent Claim 18 (as amended) would require still further modification, and such modification is taught only by the Applicants’ own disclosure.

The subject matter recited in independent Claims 1, 18 and 34 (as amended), considered as a whole, would not have been obvious based on Worrell et al., alone or in any proper combination with Lambright et al., Ryberg et al. and/or Leveridge et al. under 35 U.S.C. § 103(a). Independent Claims 1, 18 and 34 (as amended) are patentable under 35 U.S.C. § 103(a).

Dependent Claims 2-4 and 6-17, which depend from independent Claim 1 (as amended), are also patentable under 35 U.S.C. § 103(a). Dependent Claims 19-33 and 57, which depend from independent Claim 18 (as amended), are also patentable under 35 U.S.C. § 103(a). Dependent Claims 35-37 and 39-50, which depend from independent Claim 34 (as amended), are also patentable under 35 U.S.C. § 103(a). See 35 U.S.C. § 112 ¶ 4.

The Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a) and reconsideration and allowance of Claims 1-4 and 6-17; 18-33 and 57; and 34-37 and 39-50.

#### Claims 51-56 and 58

In Section 14 of the Detailed Action, the Examiner rejected Claims 51-56 and 58 as being unpatentable under 35 U.S.C. § 103(a) in view of Worrell et al., Ryburg et al. and Leveridge et al.

Independent Claim 51 has been amended. Independent Claim 51 (as amended) now recites a “movable support system” comprising, in combination with other elements, a “mounting structure” and a “display support assembly having a first section movably coupled to the track and a second section projecting beyond the track into the work space” wherein a “display device installed on the display support assembly may be selectively positioned for use within the work space in a variety of positions by (a) movement of the display support assembly relative to the mounting structure transverse to the work surface.” The “movable support system” recited in independent Claim 51 (as amended) is not disclosed, taught or suggested by Worrell et al., alone or in any proper combination with Leveridge et al. and/or Ryberg et al.

The suggestion to make the combination of Worrell et al., with Leveridge et al. and/or Ryberg et al. has been taken from the Applicants' own disclosure (using hindsight), which is improper. Furthermore, to transform the "desk" of Worrell et al., alone or in any proper combination with the "articulating computer monitor" of Leveridge et al. and/or the "computer implement work area" of Ryberg et al., into a "movable support system" as recited in independent Claim 51 (as amended) would require still further modification, and such modification is taught only by the Applicants' own disclosure.

The subject matter recited in independent Claim 51 (as amended), considered as a whole, would not have been obvious based on Worrell et al., alone or in any proper combination with Leveridge et al. and/or Ryberg et al. under 35 U.S.C. § 103(a). Independent Claim 51 (as amended) is patentable under 35 U.S.C. § 103(a). Dependent Claims 52-56 and 58, which depend from independent Claim 51 (as amended), are also patentable under 35 U.S.C. § 103(a). See 35 U.S.C. § 112 ¶ 4.

The Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a) and reconsideration and allowance of Claims 51-56 and 58.

#### **New Claims**

New dependent Claims 59-60 depend from dependent Claim 57 (as amended) and have been added to provide claims of varying scope. New dependent Claims 61-63 depend from dependent Claim 58 (as amended) and have been added to provide claims of varying scope.

\* \* \*

The Applicants respectfully submit that each and every outstanding rejection to the pending claims has been overcome, and the Application is in condition for allowance. Independent Claims 1, 18, 34 and 51 have been amended, and dependent Claims 22, 40 and 57-58 have been amended. New dependent Claims 59-63 have been added to provide claims of varying scope.. The Applicants respectfully request reconsideration and allowance of

Claims 1-4, 6-37 and 39-63.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date NOVEMBER 13, 2003

By 

FOLEY & LARDNER

Customer Number: 26371

Telephone: (414) 297-5591

Facsimile: (414) 297-4900

John M. Lazarus  
Attorney for the Applicants  
Registration No. 48,367